

**\*\*AMENDED JUDGMENT (original sentence 07/1/2002)\*\***

UNITED STATES OF AMERICA vs.  
Defendant: PINEDA, Gerd William Docket No. CR 99-1274(A)-RSWL  
AKA's: PINEDA, William Gerd; Gard William Social Security No. 3861  
Residence: Metropolitan Detention Center MAILING ADDRESS: Same  
Address: 535 N. Alameda Street  
Los Angeles, CA 90012

**JUDGMENT AND PROBATION/COMMITMENT ORDER**

In the presence of the attorney for the government, the defendant appeared in person, on this date:  
02 20 09  
Month/Day/Year

COUNSEL: XX WITH COUNSEL Errol Stambler, Aptd  
(Name of Counsel)

PLEA: XX GUILTY, and the Court being satisfied that there is a factual basis for the plea.  
NOLO CONTENDERE NOT GUILTY

FINDING: There being a finding/verdict of GUILTY, defendant has been convicted as charged of the offense(s) of:

Conspiracy to Distribute Cocaine and Cocaine Base; Aiding and Abetting in violation of 21 USC 846, 841(a)(1) and 18 USC 2 as charged in Count 3 of the Indictment.

**JUDGMENT AND PROBATION/COMMITMENT ORDER:**

The Court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted:

IT IS ORDERED that the defendant shall pay to the United States a special assessment of \$100.00, which is due immediately.

Pursuant to Section Pursuant to Section 5E1.2(e) of the Guidelines, all fines are waived as it is found that the defendant does not have the ability to pay a fine and it is found that such sanction would place an undue burden on the defendant's dependents.

PURSUANT TO THE SENTENCING REFORM ACT OF 1984, IT IS ADJUDGED that the defendant, Gerd William Pineda, is hereby committed on Count Three (3) of the twenty-six (26) Count First Superseding Indictment to the custody of the Bureau of Prisons to be imprisoned for a term of **\*\*One Hundred Thirty-Five (135) months\*\***.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of five (5) years under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the Probation Office and General Order 318,
2. The defendant shall participate in outpatient substance abuse treatment and submit to drug and alcohol testing, as instructed by the Probation Officer. The defendant shall abstain from using illicit drugs, using alcohol, and abusing prescription medications during the period of supervision.
3. During the period of community supervision, the defendant shall pay the special assessment in accordance with this judgment's orders pertaining to such payment,

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4. The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, not reenter the United States illegally. The defendant is not required to report to the Probation Office while residing outside of the United States; however, within 72 hours of release from any custody or any reentry to the United States during the period of Court-ordered supervision, the defendant shall report for instructions to the U. S. Probation Office, located at United States Court House, 312 North Spring Street, Room 600, Los Angeles, California, 90012;
5. The defendant shall not obtain or possess any driver's license, Social Security number, birth certificate, passport or any other form of identification in any name, other than the defendant's true legal name, without the prior written approval of the Probation Officer; further, the defendant shall not use, for any purpose or in any manner, any name other than his true legal name;
6. The defendant shall not be present in any known gathering area of the CLCS Gang, Mexican Mafia or any other gang, as directed by the Probation Officer;
7. The defendant shall not associate with any member of the CLCS Gang, Mexican Mafia, nor any other gang member, as directed by the Probation Officer;
8. The defendant shall not wear, display, use, or possess any insignia, emblem, button, badge, cap, hat, scarf, bandanna or personal article, or article of clothing which evidences membership in, or association with, the CLCS Gang, Mexican Mafia, nor any other gang, as directed by the Probation officer

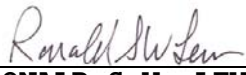
The Court recommends housing in the Southern California area.

The Court recommends that defendant be placed in the Bureau of Prisons 500 hour drug treatment program.

All remaining Counts and the underlying indictment in this matter is hereby dismissed.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release set out on the reverse side of this judgment be imposed. the Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

Signed by: U.S. District Judge

  
RONALD S.W. LEW

It is ordered that the Clerk deliver a certified copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Terry Nafisi, Clerk

Dated/Filed: Feb 20 2009  
Month / Day / Year

By KELLY DAVIS  
Deputy Clerk